

**Minutes of the Carlisle Board of Health
July 29, 2014**

Agenda

Minutes – 6/3/14, 6/24/14, 7/8/14

Bills

Administrative Reports

100 Long Ridge Road (Brem Properties)

- Estimated cost to review proposed Nitrogen Credit Land
- Permitting of proposed water supply
- DEP memo dated 7/29/14

81 Russell Street (Garrison Place)

- Senior Open Space Community – engineering comments (pending)
- Sewage Disposal System – engineering review (pending)
- Verify room count
- Draft Master Deed and Restrictions
- Abutter correspondence

95 Hanover Road – Septic system installation

- Meeting with installer (Mike Moreshead)
- SMI memo dated 7/29/14

Discussion Items

- Mosquito Control in Carlisle – historical narrative draft
- Tick Testing Survey Results

The meeting was called to order at 7:00 pm at Carlisle Town Hall. Present: Bill Risso (Chairman), Catherine Galligan, Lee Storrs; absent Donna Margolies. Also present: Linda Fantasia, Health Agent, Rob Frado (TCG) and Roxanne Sayde (Mosquito).

MINUTES

June 3, 2014 – The agenda will be highlighted. **It was moved (Galligan) and seconded (Storrs) to approve the minutes of 6/3/14 as amended. Motion passed 3-0-0.**

June 24, 2014 – Galligan agreed to contact the resident concerned about the emerging mosquito borne illness Chikungunya stating that the Board is aware of the new virus and will keep residents advised. Personal protection remains the best defense. **It was moved (Galligan) and seconded (Storrs) to approve the minutes of 6/24/14 as amended. Motion passed 3-0-0.**

July 8, 2014 – agenda will be highlighted. **It was moved (Storrs) and seconded (Galligan) to approve the minutes of 7/8/14 as amended.**

BILLS – there was one bill for a packet of permit forms. **It was moved (Galligan) and seconded (Storrs) to approve the bills as presented.**

ADMINISTRATIVE REPORTS

MDPH mini-grant – awards announcements delayed until 8/8/14 due to the number of applications. Galligan drafted a proposal to develop an inspection checklist for farmer's markets and one-day events that could be useful to Board members and agents which was submitted. The Board thanked Galligan for her work.

Disinterment Request – no request has been submitted yet.

100 Long Ridge Road (Fantasia report) – Zoning Board of Appeals opened the public hearing on 7/28/14. They have 180 days to decide. Land Use Boards will be asked to comment on specific waivers. The application was missing a number of items that the applicant agreed to address. The applicant will be filing for a Notice of Intent

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with Conservation Commission this week. The development consists of 20 condominiums (19 new and 1 existing). There is only limited information available on proposed septic systems or the alternative technologies to be used, for example, drip dispersal system and pre-treatment. The applicant will meet with BOH in August.

Selectmen are convening a Town Advisory Group (TAG) consisting of land use staff and board members and other parties of interest. The Board was asked to select a representative. Risso agreed to be the primary with Storrs the back up. Fantasia will also participate. The next meetings of ZBA are 8/11 and 8/25.

Frado asked if he should review the nitrogen credit land. His estimate was about two hours of engineering time. The Board has not received any fees yet. Frado said he would need to know whether the intermittent stream counted as land underwater which does not count as credit land. The Conservation Commission should help with this. He planned on counting the stream area until told differently. The Board also received an email from Jim Persky of the MA DEP Drinking Water Program (DWP) clarifying DEP's policy on condominium developments and private wells. According to Persky multi-unit condo developments supported by individual wells should get a determination from the Department as to whether the wells qualify as a Public Water Supply. Persky explained that (1) if the wells have separate legal ownership giving control over maintenance and operation and (2) the subunits served do not exceed the PWS criteria of 25 or more users at least 60 days of the year the well is not a PWS. The Board is the approving authority for private wells. The DWP does not yet have a standard review for this policy. The policy does consider public health risks. There has only been one development in Sherborn which operates under this policy. The Board noted that the developer has had conversations with the Department on this subject but without Board input. Protection of groundwater is a concern due to the density of the Brem development. It was unclear to the Board how many units/per well were being proposed. The Board agreed to request the developer to obtain a written determination from DEP but at a higher level of authority and that the Board wants to participate in this decision.

The Board agreed to send a letter to the developer enclosing its memo to the Zoning Board asking that he obtain a determination from DEP and that the Board be present at the meeting. Risso and Storrs will also attend. It was agreed that it would be helpful to have a legal or water supply expert attend. The Board would like town counsel to attend. There may not be enough time or available funding to obtain assistance from a hydrologist. Fantasia will follow up with the Town Administrator.

Frado said he would like to have the groundwater mounding calculations for both 81 Russell Street and Long Ridge Road peer reviewed. The Board discussed potential consultants. The Board was pleased with both the Coventry Woods and Benfield consultants relative to pathogen migration.

The Board reviewed a memo from Hill Law Associates on behalf of the abutters.

Board Vacancy – no applications following the legal notice in the *Mosquito*.

Enchanted Kitchen – The applicant is now ServSafe certified and has taken the Allergy Awareness Training. Randy Phelps approved the operation and menu samples. He suggested obtaining a commitment from the kitchen facility for its use (First Religious Society). Any food delivered should be clearly labelled "Consume immediately or refrigerate". The Board agreed to issue the permit.

Residential Kitchen – Fantasia inspected 1380 Curve Street and issued a permit to Nicole White. The food products will be sold at the local Farmer's Market.

DISCUSSION ITEMS

History of Mosquito Control in Carlisle – The Board agreed to review the draft for the next meeting.

Tick Testing Survey Results – The Board reviewed an analysis prepared by David Estabrook, the Board's intern from Mass. Dept. of Public Health (MDPH). The percentage of diseased ticks in Carlisle is higher than in surrounding communities and compared to communities on the Cape, only Barnstable rates higher. Carlisle residents therefore have an elevated risk for contracting a tick borne disease. The Board wants to share the information with Cheryl Bartlett, Public Health Commissioner, and Dr. Alfred DeMaria (MDPH). The Board asked

Fantasia to contact Barnstable to see if they are aware of the levels of TBD in their ticks. Previously the Board was not inclined to fund the program once the grant funding ends because the testing program was only intended to evaluate risk not provide a diagnosis. Even so, residents showed great interest in the program which may be a consideration in the Board's decision to explore ongoing funding.

81 RUSSELL STREET (GARRISON PLACE) Present for the discussion was JJ Cohen on behalf of the developer Brendan Properties.

The Board is required to comment on the Senior Open Space Special Permit application which is before the Planning Board. Sewage Disposal System designs (SDS) have also been submitted for review. The SDS application was not complete when submitted. Missing documentation was only provided on 8/4/14 so Frado has not yet reviewed the engineering plans. The Board was also concerned about the room counts for the units which are supposed to be two bedroom units. Revised floor plans submitted 8/4/14 shows units with two bedrooms and two offices along with finished basements. The offices had the potential for future use as bedrooms. Cohen said the development will be deed restricted to two bedrooms. The Board was not confident that this would eliminate the potential abuse. Enforcing bedroom counts is not easy. Cohen said that would be up to the Condominium Association. The Board felt it would be difficult for owners to police other owners. Cohen said he has experience with a 90-unit two bedroom development and there has never been a problem. This is a high end market development age restricted to 55+. The Association will police the development in order to protect values. Owners tend to go away for the winter; they are empty nesters past the family raising stage. The Board did not believe this would necessarily guarantee that a third bedroom will not be created. Cohen was asked why the offices needed doors. Cohen said it was typical of an office. The Board said they would want the doors removed.

It was suggested that the septic designs could be enlarged to accommodate three bedroom units. This would resolve the problem. Fantasia noted that the septic design flows include 50% additional capacity required under local regulations for large (>2000 gpd) systems. As a senior development they could have used 150 gpd/per two-bedroom unit. The design submitted provides 110 gpd/bedroom plus 50% additional or 330 gpd/per unit. This is the Title 5 standard for a three bedroom dwelling. The Board agreed that its role is to anticipate future behaviors that might have a detrimental impact on the septic system including premature system failures. Fantasia noted that the Board has encountered problems with owners creating bedrooms without checking with the Board. The Board agreed that if the doors to the office were removed and the closet in the smaller unit office, the floor plans would be acceptable. The Board questioned the size of the units ~4000-5000 s.f. Cohen said the structures cannot exceed 6000 s.f. Cohen realized that the floor plans were for Wayland Commons even though the title page referenced Garrison Place. Cohen asked to have the plans withdrawn and correct ones will be submitted following the Board's recommendations. The discussion on the Special Permit and Septic Design was continued to August 19th at 8:00 pm.

The Board read a letter from abutter Dusty Johnstone expressing concern about the height of the septic mound as discussed at the Planning Board hearing and with the Conservation Administrator and potential impacts to the adjacent wetlands. The Board will request additional information from these departments.

95 HANOVER HILL ROAD – Installer Mike Moreshead was present for the discussion.

Frado explained that the site was shut down for the winter last December. The Board had required that the Title 5 fill that was placed should be covered and protected and the bed would need an inspection from Frado in the spring before work could continue. It was expected that work would start again March 1st. Moreshead called for the inspection the week of July 7th. When Frado went to the site the new Title 5 fill had been placed. He was not able to inspect the condition of the bed or the Title 5 fill that had been placed last fall which could have been contaminated with debris and litter. Only the edges of the bed were left exposed. If the Title 5 fill had been contaminated, it would need to be removed and replaced with clean Title 5 fill. Since the new Title 5 fill was placed on top it would not be possible to check the bottom layer without mixing the two. Moreshead provided the Board with a report from GeoFlow which had tested all four corners of the field and claimed they were satisfactory. Frado said this does not guarantee that all of the bottom Title 5 fill was clean. Frado will not certify anything he has not seen. Design engineers Stamski & McNary suggested digging 6-7 deep holes. Frado felt this would result in mixing old and clean Title 5 fill. The Board discussed doing borings since this would not mix the Title 5 fill. Frado felt it

would still be possible to miss an unsatisfactory area. The best solution would be to remove all of the Title 5 fill, scrape the bed bottom and replace with clean Title 5 fill. This would result in an approximate \$16,000 worth of Title 5 fill being lost.

Moreshead said he would like to work a quarter of the bed at a time, removing the new Title 5 fill but leaving a layer of new above the old Title 5 fill. The Title 5 fill removed would be temporarily stockpiled while the old Title 5 fill was removed. The new Title 5 fill could then be replaced. Additional clean Title 5 fill will be necessary. The Board asked where the material would be stockpiled so that it was not contaminated. The Board was concerned about storing Title 5 fill over the system even temporarily. The result might be even more mixing of good and bad fill. Frado asked about using trucks. Moreshead said he would need a number of trucks. The Title 5 fill required 16-20 truckloads.

The Board wanted to know how the problem had happened. The Board's letters to the owner in December and June, both of which were copied to the installer, were clear in the instructions: cover the system for the winter, town's inspector and design engineer would need to inspect the bed prior to starting work in the spring. This was also the engineer's recommendation to the installer.

The Board noted that this had been a difficult site from the beginning causing a number of problems and delays. The Board presented Moreshead with a number of photos, taken by the Conservation Commission and Board of Health chair. The photos showed a drainage pipe leaking into the bed excavation. Moreshead said he was aware of the pipe and was trying to figure out its source. It will be redirected. Another photo showed the entire bed flooded. The Board was concerned that the water would have created a hard layer of silt over the Title 5 fill preventing drainage. Moreshead said he was unaware of the flooding. Another photo showed a cracked well cap. Moreshead said this has been fixed. The well does not yet have a pump. It will be sanitized prior to bringing online.

The Board discussed the possibility of stockpiling the Title 5 fill on a large tarp. Frado felt this would still result in loss of material. Moreshead said he is aware that the old Title 5 fill is unusable and additional Title 5 fill will be needed. He still preferred his approach of working on the bed in sections. The Board finally agreed with this approach as long as Frado witnessed the work. This will require a lot of engineering time which will need to be prepaid. Frado will provide an estimate. Moreshead agreed with the prepayment. Frado will look at the bottom of the bed and what is being placed for Title 5 fill. Moreshead asked if the engineer could do some of the inspecting. Frado said he needs to see the work if he is to sign off.

The Board decided on the following actions: owner must prepay the estimate of inspection time; installer can work on a quarter of the system at a time; the clean Title 5 fill will be temporarily stockpiled over the system; there needs to be a clear layer of clean Title 5 fill left over the old before removal; Frado will decide what can be reused; Frado will also inspect the bottom of the bed; the work is to be scheduled on week days other than Wednesdays to avoid interfering with scheduling for other sites; work will be done within the next two to three weeks; the drainage issues will be remedied; the well will need to be sanitized before bringing online.

NEW BUSINESS

The Board had a copy of a Boston Globe article provided by Bobby Lyman on the dangers to bees from a new category of herbicide. Galligan was interested in following up.

There was no further business. Meeting voted to adjourn at 9:00 pm.

Respectfully submitted,

Linda M. Fantasia
Recorder